

The Talent Foundry

Safeguarding and Child Protection Policy

September 2020

**(includes Safeguarding Code of Conduct
for working in schools)**

**Date of last review by the Board:
23rd September 2020**

Next review date: Autumn Term 2021

Safeguarding and Child Protection Policy & Safeguarding Code of Conduct for Working in Schools

Introduction:

This policy and code of conduct applies to all employees, Trustees, self-employed contractors (including freelancers) and volunteers working on behalf of The Talent Foundry Trust (hereafter called The Talent Foundry). For the purposes of this policy, any reference to staff in this policy includes anyone working on behalf of The Talent Foundry.

This policy and code of conduct is related to our expectations of safeguarding best practice when working with children. We want to ensure that The Talent Foundry carries out all its safeguarding responsibilities when providing the wide range of activities for children and young people.

This document outlines our expectations for anyone working on behalf of The Talent Foundry. It outlines our expectations of your behaviour and also that of your colleagues. It explains your personal responsibility to act within the boundaries laid out, and your responsibility to report any safeguarding concerns about a child. It also outlines what to do if you have concerns regarding behaviour by school staff or anyone working on behalf of The Talent Foundry.

We will ensure you have access to this policy at the earliest opportunity but no later than your induction period.

Definition of Safeguarding:

Safeguarding and promoting the welfare of children is defined as: protecting children from maltreatment; preventing impairment of children's mental and physical health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes. Children includes everyone under the age of 18. (*Keeping Children Safe in Education, September 2020*).

The main areas of child abuse are:

- Physical abuse
- Emotional abuse
- Sexual Abuse
- Neglect

Please see the Government publication - Keeping Children Safe in Education, September 2020 for further information on the categories of abuse:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/912592/Keeping_children_safe_in_education_Sep_2020.pdf

Everyone who comes into contact with children and their families has a role to play in safeguarding children.

The work of The Talent Foundry is usually undertaken in schools and in the presence of school staff.

Legal background

Where a person aged 18 or over is in a position of trust with a child under 18, it is an offence under the Children Act 1989 for that person to engage in sexual activity with or in the presence of that child, or to cause or incite that child to engage in or watch sexual activity.

Where a person aged 18 or over is in a position of trust with a pupil who has already reached the age of 18, any attempt to engage in sexual activity with that person will be treated as a breach of trust and will be treated as gross misconduct.

Where a person aged 18 or over is in a position of trust established with a person who has only recently left the school, any attempt to engage in sexual activity with that person will be a cause for concern and may be treated as a breach of trust established in that prior relationship and could be regarded as gross misconduct.

This means that staff must not:

- Use their position to gain access to information about children/pupils for their own advantage
- Use their power to intimidate, threaten, coerce or undermine children/pupils.
- Use their status and standing to form or promote a relationship with a child or pupil of a school, which is of a sexual nature.

There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of the child and manipulate that relationship so sexual abuse can take place. This is an offence and The Talent Foundry or the school will take immediate action with the relevant authorities.

Any sexual behaviour by a representative of The Talent Foundry with or towards a child/pupil is both inappropriate and illegal. Children/pupils are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether the child or young person consents or not. This includes the prohibition on adults in a position of trust.

Power and positions of trust

All adults working with pupils in education settings are in positions of trust in relation to the young people in their care. A relationship between a member of staff and a pupil cannot be a relationship between equals, therefore staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Although not a permanent member of staff in the schools you visit, when working on The Talent Foundry's programmes in schools (or in other locations), you will be viewed by the young people you are working with as someone in a position of power and trust like their teachers and other school staff. School staff must always maintain appropriate professionalism and wherever possible they must avoid behaviour which might be misinterpreted by others, and report and record any incident with this potential.

We therefore have a similar expectation in the standard of conduct we would expect from you and want to ensure you are fully aware of this best practice to prevent any misinterpretation of your actions.

All employees, freelancers, volunteers and anyone connected with The Talent Foundry must recognise their responsibilities to act in a professional and responsible manner at all times and to interact appropriately with the children and young people with whom we work.

Anyone working on behalf of The Talent Foundry will endeavour to safeguard children and young people by:

- Reading and implementing this Policy
- Reading and understanding the government guidance – Keeping Children Safe in Education (latest version September 2020 as detailed above)
- Reading and understanding the government guidance – Working together to Safeguard Children (July 2018)_
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779401/Working_Together_to_Safeguard-Children.pdf
- Sharing information about child protection and good practice with other representatives of The Talent Foundry
- Ensuring that safeguarding information is requested from school staff at the start of the visit (or programme) to ensure that they have awareness of any relevant information relating to the young people that they will be working with.
- Sharing information about any safeguarding concerns with designated school staff.
- Disclosing information to The Talent Foundry which might affect their work with children in particular with reference to any disqualification from working with children.
- Following carefully the procedures for recruitment and selection of employees, Trustees, freelancers and volunteers.
- Comply with the duty to disclose / whistle blow if they witness anything which raises concern following The Talent Foundry Whistleblowing policy.

Senior Management of The Talent Foundry will review this policy and good practice at regular intervals and communicate any changes to The Talent Foundry Board and anyone else working on behalf of The Talent Foundry as appropriate.

Code of Conduct

Representatives of The Talent Foundry must be committed to creating a safe environment in which young people can feel comfortable and secure while engaged in any of The Talent Foundry's programmes, training events, trips or workshops.

People representing The Talent Foundry should at all times show respect and understanding for an individual's rights, safety and welfare, and conduct themselves in a way that reflects the ethos and principles of The Talent Foundry.

People representing The Talent Foundry must be committed to:

- Treating young people with respect and dignity.
- Always listening to what a young person is saying.
- Valuing each young person.
- Recognising the unique contribution each individual can make.
- Encouraging and praising each young person in an appropriate manner.
- Using appropriate language with young people and referring any inappropriate language used by a young person or child to the relevant school staff member.

People representing The Talent Foundry must never spend time alone with one child.

People representing The Talent Foundry must never:

- Engage in sexually provocative or rough physical games, including horseplay.
- Do things of a personal nature for a child or a young person. If a young person requests help with personal matters, The Talent Foundry staff must seek a member of school staff to deal with such an incident.
- Allow, or engage in, inappropriate touching of any kind.

Physical contact

It is not expected that The Talent Foundry staff will need to have any level of physical contact with any child/young person in the course of their work for The Talent Foundry. However, if physical contact is made with a child, this should be in response to their needs at the time, of limited duration and appropriate. Staff should use their professional judgement at all times about the appropriateness of any physical contact.

In general staff must:

- Be aware that even well-intentioned physical contact may be misconstrued by the child or an observer or by anyone to whom this action is described.
- Consider alternatives where it is anticipated that a child might misinterpret any such contact, perhaps involving another member of staff, or a less vulnerable pupil in a demonstration.
- Always explain to a child the reason why contact is necessary and what form that contact will take unless their safety is at immediate risk.
- Never touch a child in a way which may be considered indecent.
- Always be prepared to explain actions and accept that all physical contact will be open to scrutiny.

People representing The Talent Foundry should:

- Be aware that any actions may be misinterpreted no matter how well intentioned.
- Never draw any conclusions about others without checking the facts.
- Never allow themselves to be drawn into inappropriate attention seeking situations.
- Never exaggerate or trivialise child abuse issues or make suggestive remarks or gestures about, or to a child or young person, even in fun.
- Never give their personal information or contact details to children or young people or make contact with them for personal reasons.
- Not become 'friends' with or 'follow' children or young people on social media (please see The Talent Foundry Social Media Policy for more detail).
- Not make images of children/young people available on the internet without permission from parents, the school's Senior Leadership Team or The Talent Foundry.
- Not discuss own personal relationships with or in the presence of children.
- Not discuss a child's personal relationships.
- Dress appropriately for working with young people and avoid wearing revealing clothing. No aspect of dress or appearance should be politically motivated, sexually provocative, discriminatory, insensitive or offensive.

- Never allow volunteers from supporting organisations to be unsupervised with children or young people (please see the section named 'Volunteers').
- Ensure confidentiality: Staff may be privy to personal information relating to children and their families during their work in schools. This information should not be shared other than with relevant members of staff in the school and/or within The Talent Foundry, and only on a need to know basis.

What to do if you have a concern about a child or young person:

Each school will have a 'Designated Safeguarding Lead'. This person will be responsible for matters relating to safeguarding in the school.

If anyone representing The Talent Foundry has concerns about a young person or suspects that a young person is being abused, he/she should ask to speak to the Designated Safeguarding Lead if possible and voice their concerns. If this is not possible then the representative must tell a member of the relevant school staff as soon as possible.

Regard should be given to the confidential nature of such circumstances and concerns must not be discussed with anyone else apart from the school staff member to whom the referral is made.

What to do if a young person makes a disclosure to you:

It is highly unlikely that a young person will make a disclosure to a representative of The Talent Foundry however should this situation occur then:

- Don't ignore them or tell them to go away because you're busy – they may have been building up to telling someone for some time.
- Advise them to speak to a teacher or other member of school staff in the first instance. If you ever advise a young person to do this, tell the Designated Safeguarding Lead at the school or the relevant teacher as soon as possible so that this can be followed up if necessary.
- If the young person is insistent on talking to you, at the outset you must explain to them that you cannot promise to keep what they may tell you secret. You can promise that only those who need to know will be told and that they will be the people who can help to protect the young person. Do not make any other promises – you may not be able to keep them and trust will have been destroyed.
- Stay calm and reassuring. Listen carefully, as you will need to record in detail what has been shared but do not press for details. It is better that if further investigation is necessary that the young person has not had to repeat the details. Do not ask leading questions.
- The situation may cause you to react emotionally try not to show this to the young person.
- Tell the young person that he/she was right to tell that he/she is not to blame for what has happened. Let him/her know that you understand how difficult it is for them to talk about their experiences. Thank them for telling you.

- Many victims of child abuse say that having the first person they disclosed to being supportive was the first step in recovering from their experience. Let them know that you are going to do everything you can to help them and explain that you must now share the information with Designated Safeguarding Lead in the school who in turn will meet with them.
- As soon as possible afterwards and on the same day, record, in writing, your conversation with the young person. Try to remember exact words and record your statements with the young person. Do not use your own words in case you have misconstrued what the young person was trying to say. If you record opinions, ensure that these cannot be confused with facts.
- Then pass all this information to the Designated Safeguarding Lead at the school.

What to do if you have a concern about the behaviour of a colleague, member of school staff, volunteer or other adult in your context of your work for The Talent Foundry:

Record in writing any concerns then contact the relevant Programme Manager or the Operations Director at The Talent Foundry as soon as possible (within 24 hours) and report these.

What to do if you have an allegation of abuse made against you:

If an allegation of abuse is made against you, it will be reported to the Local Authority Designated Officer (LADO) in the Local Authority where the concern was made about you. Allegations management procedures will be followed.

These come from ‘Working Together to Safeguard Children 2018’ and are used in all cases where a person who works or volunteers with children is alleged to have:

- Behaved in a way that has harmed or may have harmed a child.
- Possibly committed a criminal offence against, or related to, a child.
- Behaved towards a child or children in a way that indicates he/she is unsuitable to work with children or in a way that indicates he/she would pose a risk of harm if working regularly or closely with children.

In Keeping Children Safe in Education September 2020, an added criteria for the LADO to follow is that schools must work with other agencies to investigate when someone who has worked at the school has “behaved or may have behaved in a way that indicates they may not be suitable to work with children”.

There are 3 potential outcomes from the allegation:

- No further action after initial consideration
- Criminal investigation
- Disciplinary investigation

A strategy meeting involving Children’s Social Care, Police, Health, The Talent Foundry as the organisation contracted your services, and the LADO, will be convened if it meets the threshold for this type of meeting.

The meeting will consider any employment or voluntary work you undertake with children and if you have, or care for children yourself and have behaved in a way that would raise concerns about your suitability to work with them or care for them, and whether there are any risks to them.

If the allegation is serious enough, suspension of your contract may be considered by The Talent Foundry, depending on the outcome of an investigation. The case may move between criminal and disciplinary processes, depending on the information arising from the investigation.

The threshold for criminal conviction is 'beyond all reasonable doubt'

The threshold for disciplinary action is 'on the balance of probabilities'.

If you are dealt with through a disciplinary process, then this will be through The Talent Foundry's Disciplinary Policy which can be found in the Employee Handbook.

Although you may be a freelancer and not an employee, The Talent Foundry has a legal duty to report anyone who they have recruited to work with children; paid or unpaid, employee or volunteer, consultant or agency worker, who they remove from their register.

If you are dismissed from a post because of a concern about behaviour towards children (regardless of whether there is a criminal conviction) The Talent Foundry will refer you to the Disclosure and Barring Service (DBS) who will consider whether you can continue to work with children in any capacity, and a referral will be made to your professional body if applicable, to consider whether your registration with them will be terminated.

Things you can do

- Ensure you have the contact details of the senior person within The Talent Foundry who will provide you with regular updates about the investigation.
- Ensure you give your side of things, either during criminal investigation to the police or during disciplinary investigation to ourselves as your employer.
- Take up any offer of support from your GP.
- Seek the support of your Union, if you have one.

Hopefully none of the above accusations against a member of the team will happen, especially if the Code of Conduct is followed. It is there to protect everyone on team, and to protect any child or pupil we come into contact with.

PREVENT:

The Talent Foundry has a zero tolerance of extremist behaviour and ensures that our work, care and guidance empowers young people to reject violent or extremist behaviour.

The Home office's definition of extremism: "Vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. Also calls for the death of members of our armed forces whether in this country or overseas."

The Talent Foundry acknowledges that protection from radicalisation and extremist is a safeguarding issue. "Safeguarding vulnerable people from radicalisation is no different from safeguarding them from other forms of harm." *Home office – The Prevent Strategy*.

Exposure of children to extremist ideology can hinder their social development and educational attainment alongside posing a very real risk that they could support or partake in an act of violence.

Since 2012, it has been required by law for teachers "not to undermine fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs."

Teachers must not promote partisan political views in the teaching of any subject and are required to ensure that whenever political issues are brought to the attention of students a balanced presentation of the opposing views is offered. This requirement applies not only during scheduled lessons but in all other contexts.

Anyone working on behalf of The Talent Foundry must comply with the above.

Training:

Anyone working directly with young people on behalf of The Talent Foundry is required to undertake online Prevent training provided through the Home Office at least every two years. The link to the Prevent training is as follows:

<https://www.elearning.prevent.homeoffice.gov.uk/>

The NSPCC provides online training which we would recommend to anyone working on behalf of The Talent Foundry.

<https://learning.nspcc.org.uk/training>

Procedures for recruitment & selection of employees and freelancers:

The Talent Foundry will undertake appropriate pre-engagement checks on all new employees, freelancers and Trustees. Priority is given to issues relating to child protection. Anyone working for The Talent Foundry who routinely comes into direct contact with young people will be required to undertake an Enhanced Disclosure & Barring Service check.

Anyone working on behalf of The Talent Foundry will be given access to this policy and be asked to make sure that they read, understand and implement this into their working practices as appropriate.

Volunteers:

The Talent Foundry works with a number of organisations who provide volunteers to assist with the delivery of specific programmes. These programmes are designed to ensure that volunteers are never in solitary contact with a young person but are overseen by either a member of the school's teaching staff and/or a DBS-checked member of The Talent Foundry team while in contact with any young people.

Safeguarding contact leads:

Susannah French (Operations Director): 07973 293 928

Cate Smith (Head of Programmes): 07791 853 114

This policy has been approved and authorised by: Amy Leonard, Chief Executive

Appendix 1 – Summary of Safeguarding Policy:

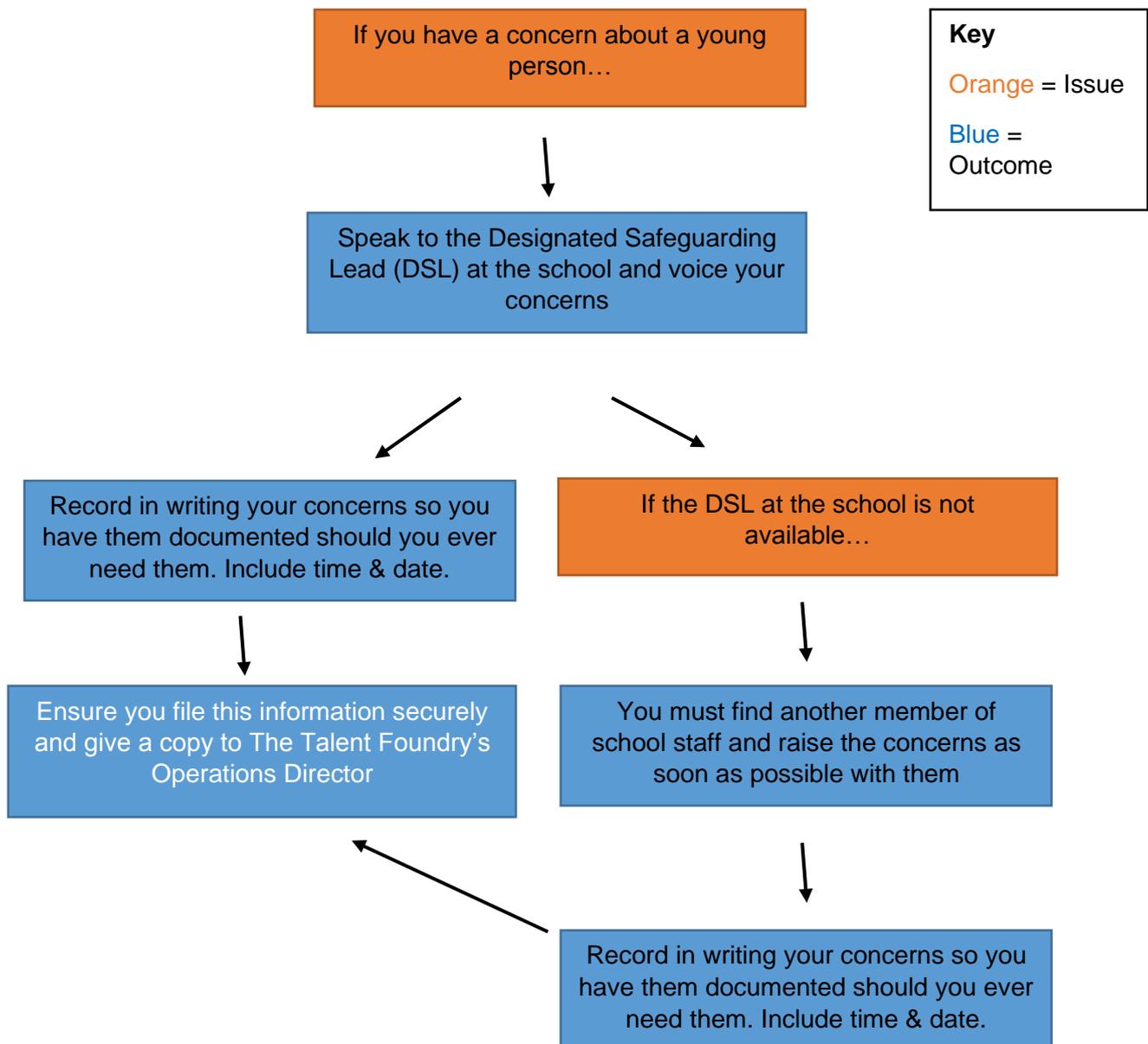
What if.....	Action to take....
You have a concern about a young person	Speak to the Designated Safeguarding Lead (DSL) at the school and voice your concerns.
The designated lead at the school is not available	Tell another member of school staff as soon as possible
A Young Person makes a disclosure to you	<ul style="list-style-type: none"> ● Don't tell them to go away ● Advise them to speak to a teacher or other member of school staff (advise the DSL at the school if you do this) ● Stay calm and reassuring ● Explain you cannot promise to keep secrets ● Explain you will need to tell the DSL ● Don't make any other promises to the child ● Listen carefully ● Do not press for details or ask leading questions ● Tell the child they were right to tell and they are not to blame for what has happened ● Do not make assumptions ● Record in writing the conversation – use exact words where possible and not your opinions ● Pass the information to the DSL at the school
You have a concern about the behaviour of a colleague	Record in writing any concerns and send these to the programme manager at the Talent Foundry.
You have an allegation of abuse made against you.	<p>This will be reported to the Local Authority Designated Officer (LADO) in the Local Authority where the concern was made about you and allegations management procedures will then be followed.</p> <p>You should inform the programme manager at the Talent Foundry even if the allegation was made whilst you were engaged on other work independent to The Talent Foundry.</p>
A partisan political view is expressed	Ensure a balanced presentation of opposing views is offered

Appendix 2: Safeguarding flowchart

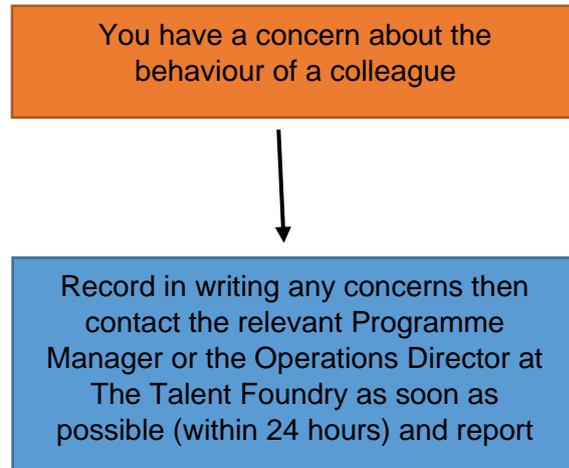
Actions where there are Safeguarding concerns about a child

Definition of Safeguarding: Safeguarding and promoting the welfare of children is defined as: protecting children from maltreatment; preventing impairment of children's mental and physical health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes. Children includes everyone under the age of 18. (*Keeping Children Safe in Education, September 2020*).

(I) You have a concern about a young person



(II) You have a concern about the behaviour of a colleague, member of school staff, volunteer or other adult in your context of your work for The Talent Foundry



(III) A young person makes a disclosure to you

